IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.674 OF 2005
IN
NOTICE OF MOTION NO.1295 OF 2003
IN
SUIT NO.2979 OF 2002

Trilok Gordhandas Dusija & anr. .. Appellants

v/s.

Asia Engineering Co. & ors. .. Respondents

Mr.Bharat Vaishnawa i/by M/s.B.Vaishnawa & Co. for the appellants.

Mr.Sanjay Jain with Mr.Ramesh Jain for the respondent No.1.

CORAM : R.M.LODHA AND
ANOOP V. MOHTA, JJ.

DATED : 9th January, 2006

P.C.

Heard Mr.Bharat Vaishnawa, the learned counsel for the appellants.

2. The appellants are the original plaintiffs and they claim 7/100th share in the suit property. Before the learned motion Judge, the statement was made on behalf of the defendant No.1 that they shall not transfer 7/100th share in the suit property for which the claim is made by the plaintiffs in the suit. The said statement has been accepted by the learned motion Judge.

3. In our considered view, the statement made by the defendant No.1 and accepted by the learned motion Judge sufficiently protects the interest of the plaintiffs during the pendency of the suit.

4. No interference is called for in the appeal.

Dismissed in limine.

(R.M. LODHA, J.)

(ANOOP V. MOHTA, J.)